

Published as corrected
HOUSE No. 4252

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 11, 2012.

The committee on Health Care Financing, to whom was referred the Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 3527), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4252).

For the committee,

STEVEN M. WALSH.

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In the Year Two Thousand Twelve

An Act to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 123B of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended by striking out the definition of “Person with an intellectual
3 disability” and inserting in place thereof the following:-

4 “Person with an intellectual disability”, a person who has an intellectual disability, consistent
5 with the 11th Edition (2010) definition of the American Association on Intellectual and
6 Developmental Disabilities, characterized by significant limitations in both intellectual
7 functioning and adaptive behavior as expressed in conceptual, social and practical adaptive skills
8 and beginning before age 18. In applying this definition the following shall be considered: (1)
9 limitations in present functioning shall be considered within the context of community
10 environments typical of the individual’s age, peers, and culture; (2) valid assessment considers
11 cultural and linguistic diversity as well as differences in communication, sensory, motor and

12 behavioral factors; (3) within an individual, limitations often coexist with strengths; (4) an
13 important purpose of describing limitations is to develop a profile of needed supports; and (5)
14 with appropriate personalized supports over a sustained period, the life functioning of the person
15 with an intellectual disability generally will improve. A person who has an intellectual
16 disability may be considered to be mentally ill, provided further, that no person with an
17 intellectual disability shall be considered to be mentally ill solely by reason of the person's
18 intellectual disability.